REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 23-31 and 33-41 are pending in the present application. Claims 23, 33, and 41 are amended, and Claims 22 and 32 are cancelled without prejudice by the present amendment.

In the outstanding Office Action, Claims 22-41 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 and 19 of U.S. Patent No. 6,661,453; the specification was objected to; Claims 22, 32, and 41 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Numazaki et al. (U.S. Patent No. 6,144,366, herein "Numazaki"); and Claims 23-31 and 33-40 were indicated as allowable if rewritten in independent form.

Applicants thank the Examiner for the indication of allowable subject matter. In view of this indication, Claims 23 and 33 have been rewritten in independent form and the specification has been amended as suggested in the outstanding Office Action. Additionally, Claim 41 has been amended to recite the allowable subject matter of Claim 23. No new matter has been added. However, because Claims 23 and 33 have been amended to overcome the applied art, Claims 24-31 and 34-40 are maintained in dependent form. Accordingly, it is respectfully submitted that independent Claims 23, 33, and 41 and each of the claims depending therefrom are in condition for allowance.

Applicants traverse the double patenting rejection. However, to expedite progress towards an allowance, Applicants have filed a Terminal Disclaimer herewith relative to U.S. Patent No. 6,661,453.

The filing of a terminal disclaimer is to obviate a rejection based on nonstatutory double patenting and is not an admission of the propriety of the rejection. The "filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption or estoppel on the merits of the rejection." *Quad Environment Technologies Corp. v. Union Sanitary District*, 946 F. 2d 870,20 U.S.P.Q.2d 1392 (Fed. Cir. 1991). Accordingly, Applicants' filing of the attached disclaimer is provided for facilitating a timely resolution to prosecution only, and should not be interpreted as an admission as to the merits of the obviated rejection.

Regarding the rejection of Claims 22 and 32 under 35 U.S.C. § 102(e) as being unpatentable over Numazaki, that rejection is moot because Claims 22 and 32 have been cancelled.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully Submitted,

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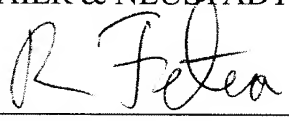

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